

EXPRESS MAIL CERTIFICATE

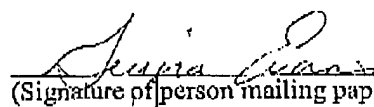
DOCKET NO.: 201835/1020 (BN-3951)
APPLICANT: THOMAS M. CLERE
TITLE: METHOD FOR MAKING HIGH THERMAL DIFFUSIVITY BORON
NITRIDE POWDERS

Certificate is attached to the Request for Reconsideration (9 pages) of the above-named application.

"EXPRESS MAIL" NUMBER: EV349152588US
DATE OF DEPOSIT: December 19, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop: RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Georgia Evans
(Typed or printed name of person mailing
paper or fee)


(Signature of person mailing paper or fee)

FEE TRANSMITTAL FOR FY 2003		Complete if Known	
<p style="text-align: center;"><i>Patent fees are subject to annual revision.</i></p> <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	09/724,158
TOTAL AMOUNT OF PAYMENT \$2,780.00		Filing Date	November 28, 2000
		First Named Inventor	Clere
		Examiner Name	Karl Group
		Art Unit	1755
		Attorney Docket No.	201835/1020 (BN-3951)

METHOD OF PAYMENT (check all that apply)	FEE CALCULATION (continued)																																																																																																																																																																																																			
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input type="checkbox"/> Deposit Account: Deposit Account Number: 14-1138 Deposit Account Name: Nixon Peabody LLP The Commissioner is authorized to: (check all that apply) <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above identified deposit account.	<h3 style="text-align: center; margin: 0;">3. ADDITIONAL FEES</h3> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td></tr> <tr><td>1053</td><td>110</td><td>1053</td><td>130</td><td>Non-English specification</td></tr> <tr><td>1812</td><td>2,320</td><td>1812</td><td>2,320</td><td>For filing a request for <i>ex parte</i> reexamination</td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td></tr> <tr><td>1252</td><td>420</td><td>2252</td><td>210</td><td>Extension for reply within second month</td></tr> <tr><td>1253</td><td>950</td><td>2253</td><td>475</td><td>Extension for reply within third month</td></tr> <tr><td>1254</td><td>1,480</td><td>2254</td><td>740</td><td>Extension for reply within fourth month</td></tr> <tr><td>1255</td><td>2,010</td><td>2255</td><td>1,005</td><td>Extension for reply within fifth month</td></tr> <tr><td>1401</td><td>330</td><td>2401</td><td>165</td><td>Notice of Appeal</td></tr> <tr><td>1402</td><td>330</td><td>2402</td><td>165</td><td>Filing a brief in support of an appeal</td></tr> <tr><td>1403</td><td>290</td><td>2403</td><td>145</td><td>Request for oral hearing</td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition in institution a public use proceeding</td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td></tr> <tr><td>1453</td><td>1,330</td><td>2453</td><td>665</td><td>Petition to revive - unintentional</td></tr> <tr><td>1501</td><td>1,330</td><td>2501</td><td>665</td><td>Utility issue fee (or reissue)</td></tr> <tr><td>1502</td><td>480</td><td>2502</td><td>240</td><td>Design issue fee</td></tr> <tr><td>1503</td><td>640</td><td>2503</td><td>320</td><td>Plant issue fee</td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(d)</td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Sheet</td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td></tr> <tr><td>1809</td><td>770</td><td>2809</td><td>385</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td></tr> <tr><td>1810</td><td>770</td><td>2810</td><td>385</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td></tr> <tr><td>1801</td><td>770</td><td>2801</td><td>385</td><td>Request for Continued Examination (RCE)</td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td></tr> </tbody> </table> <div style="display: flex; justify-content: space-between;"> <div> SUBTOTAL (1) (\$0) </div> <div> SUBTOTAL (3) (\$2,780.00) </div> </div> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <h3 style="text-align: center; margin: 0;">2. 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For Reissue, see above </div> </div> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <h3 style="text-align: center; margin: 0;">CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]</h3> <p>I hereby certify that this correspondence is being:</p> <p><input type="checkbox"/> deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop _____, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450</p> <p><input type="checkbox"/> transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) _____</p> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div> Date _____ </div> <div> Signature _____ Typed or printed name _____ </div> </div> </div> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th colspan="2" style="text-align: center; padding: 5px;">SUBMITTED BY</th> <th colspan="2" style="text-align: center; padding: 5px;">Complete if applicable</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">Name (Print/Type)</td> <td style="padding: 5px;">Georgia Evans</td> <td style="padding: 5px;">Registration No.</td> <td style="padding: 5px;">44,597</td> </tr> <tr> <td style="padding: 5px;"></td> <td style="padding: 5px;"></td> <td style="padding: 5px;">Telephone</td> <td style="padding: 5px;">(585) 263-1672</td> </tr> </tbody> </table>	Large Entity		Small Entity		Fee Description	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1051	130	2051	65	Surcharge - late filing fee or oath	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	1053	110	1053	130	Non-English specification	1812	2,320	1812	2,320	For filing a request for <i>ex parte</i> reexamination	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	1251	110	2251	55	Extension for reply within first month	1252	420	2252	210	Extension for reply within second month	1253	950	2253	475	Extension for reply within third month	1254	1,480	2254	740	Extension for reply within fourth month	1255	2,010	2255	1,005	Extension for reply within fifth month	1401	330	2401	165	Notice of Appeal	1402	330	2402	165	Filing a brief in support of an appeal	1403	290	2403	145	Request for oral hearing	1451	1,510	1451	1,510	Petition in institution a public use proceeding	1452	110	2452	55	Petition to revive - unavoidable	1453	1,330	2453	665	Petition to revive - unintentional	1501	1,330	2501	665	Utility issue fee (or reissue)	1502	480	2502	240	Design issue fee	1503	640	2503	320	Plant issue fee	1460	130	1460	130	Petitions to the Commissioner	1807	50	1807	50	Processing fee under 37 CFR 1.17(d)	1806	180	1806	180	Submission of Information Disclosure Sheet	8021	40	8021	40	Recording each patent assignment per property (times number of properties)	1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	1801	770	2801	385	Request for Continued Examination (RCE)	1802	900	1802	900	Request for expedited examination of a design application	Large Entity		Small Entity		Fee Description	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1001	770	2001	385	Utility filing fee	1002	310	2002	170	Design filing fee	1003	530	2003	265	Plant filing fee	1004	770	2004	385	Reissue filing fee	1005	160	2005	80	Provisional filing fee	SUBMITTED BY		Complete if applicable		Name (Print/Type)	Georgia Evans	Registration No.	44,597			Telephone	(585) 263-1672
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PATENT
Docket No. 201835/1020 (BN-3951)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: Thomas M. Clere	}	Examiner:
Serial No.	: RCE of 09/724,158		Karl Group
Cnfirm. No.	: 7469		Art Unit:
Filed	: November 28, 2000		1755
For	: METHOD FOR MAKING HIGH THERMAL DIFFUSIVITY BORON NITRIDE POWDERS		

REQUEST FOR RECONSIDERATION

Mail Stop: RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant respectfully requests reconsideration of the November 20, 2002, office action.

REMARKS

In view of the following remarks, reconsideration of the outstanding office action is respectfully requested.

The rejection of claims 13-16 under 35 U.S.C. § 102(a, b, or e) as anticipated by, or in the alternative, under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 5,898,009 to Shaffer et al. ("Shaffer I"), U.S. Patent No. 6,048,511 to Shaffer et al. ("Shaffer II"), U.S. Patent No. 5,985,228 to Corrigan et al. ("Corrigan"), or U.S. Patent No. 5,854,155 to Kawasaki et al. ("Kawasaki") is respectfully traversed.

It is the position of the U.S. Patent and Trademark Office ("PTO") that Shaffer I, Shaffer II, Corrigan, and Kawasaki each teach boron nitride powders including agglomerates. Thus, the PTO states that the burden is on the applicant to prove by way of tangible evidence that the prior art compositions do not necessarily possess characteristics attributed to the claimed composition.

As set forth in the Declaration of Thomas M. Clere under 37 C.F.R. § 1.132